

**Virginia Regiment Court of Inquiry, January 16, 1756,
Proceedings at Fort Cumberland, Maryland, Letters to
Washington and Accompanying Papers. Published by
the Society of the Colonial Dames of America. Edited by
Stanislaus Murray Hamilton.**

FROM CAPTAIN THOMAS WAGGENER. ¹

*At a Court of Enquiry held at Fort Cumberland Jany. 16th.. 1756 by Order of Lieut. Colo.
Adam Stephen to enquire into the Conduct of Lieut William Stark of the Virginia Regiment.*

Capt THOMAS WAGGENER President

Members

Cpts. WILLIAM BRONAUGH Cpts. JOHN MERCER

JOSHUA LEWIS HENRY WOODWARD

ROBERT SPOTSWOOD

Captain Charles Lewis Informs the Court that he heard Lieut. Stark say that He would not turn out His Guard to any Colo. of the Virginia Regiment.

Lieut. John Williams says that He heard Lieut. Stark say that He would not turn out his Guard to any Field-Officer of the Virginia Regiment unless it was Order'd by Capt. Dagworthy who he looked upon to be Comanding Officer —

Library of Congress

Lieut. Roe Informs the Court that He heard Lieut. Stark say that He would not turn out his Guard with Rested Arms to any field Officer of the Virginia Regiment

Lieut. Campbell says he heard Lt Stark say he would not make his Guard Rest their Arms to Colo. Washington or Colo. Stephen while Capt. Dagworthy was Comanding Officer, or pay them any Complement that was not due Them, I went from that to see whether there had been Orders given to that purpose —

Lieut. Stark in his Defense says that he would not Rest his Arms to Colo. Washington or any Field Officer of the Virginia Regiment unless he was at that Time Commanding Officer

It is the opinion of the Court that Lieut. Stark has only Acted conformable to the Comanding Officer's Orders —

THO WAGGENER

[Note in Washington's handwriting—"Proceedings of a Certain Court of Enquiry —

The members of which have render'd themselves obnoxious not only to Censure but a general Court-Martial—having tryd the Prsn upon No Article of War, and consequently could not determine whether guilty or not.—"]

¹ Thomas Waggener is believed to have been a member of a family of respectability and early seating in Rappahannock County. He was a Captain at the defeat and death of Jumonville, May 28, 1754, and was slightly wounded. He had previously served under Governor Shirley in the projected Canada expedition of 1746. He received the thanks of the House of Burgesses for his gallantry at Fort Necessity. Others of the name also served during this period. Ensign Edmund Waggener was killed at the defeat of Braddock, and Captain Andrew Waggener received lands under the proclamation of Governor Dinwiddie.—BROCK.